

# **EXHIBIT B**

**Makitalo, Rebecca I.**

---

**From:** Makitalo, Rebecca I.  
**Sent:** Tuesday, August 12, 2025 2:55 PM  
**To:** Arjun Vasan  
**Cc:** Keech, Ryan Q.; Chiu, Stacey G.  
**Subject:** RE: Joint 26(f) Report [KLG-AMERICAS.FID3718879]

Mr. Vasan,

We will send you Checkmate's respective sections when they are ready. As to your belated election to prepare and file the joint report, we expect to receive a timely prepared draft joint report for our review in advance of the Court's August 14, 2025 filing deadline.

Thank you,

**Rebecca Makitalo**  
Associate  
K&L Gates LLP  
10100 Santa Monica Blvd  
8th Floor  
Los Angeles, CA 90067  
Phone: 310 552-5502  
Cell: 818 251-6956  
[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)  
[www.klgates.com](http://www.klgates.com)

---

**From:** Arjun Vasan <arjun.vasan@gmail.com>  
**Sent:** Tuesday, August 12, 2025 2:30 PM  
**To:** Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>  
**Cc:** Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>  
**Subject:** Re: Joint 26(f) Report

**This Message Is From an External Sender**

This message came from outside your organization.

Ms. Makitalo,

Thank you for your email. The Court's Scheduling Order provides that where the plaintiff is appearing pro se, defense counsel may draft the joint report **unless the plaintiff prefers to do so**. I hereby elect to file the report. On our 26(f) call, I agreed to a simultaneous exchange so each side had equal time to review; my agreeing to your team filing was expressly conditioned on receiving your draft first and exchanging mine at the same time.

Given your position below, I will proceed consistent with the Order and file Plaintiff's Rule 26(f) report. If you send your sections (two-page statement of the case, proposed dates, and positions on each required topic) by **5:00 p.m. PT today**, I will add your positions to my report.

Regards,

Arjun Vasani

On Tue, Aug 12, 2025 at 2:18 PM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:

We do not agree with your characterization of the Rule 26(f) conference nor any agreed upon simultaneous exchange of drafts. We agreed that you would send your sections on Monday and upon receipt, we would incorporate them into a combined draft and send it to you for review prior to filing. In order to prepare the joint report, we need your sections to finalize it. Please let us know when we can expect to receive your sections.

If you refuse to provide your sections as discussed, we will advise the Court accordingly.

Thank you,

**Rebecca Makitalo**

Associate

K&L Gates LLP  
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

[www.klgates.com](http://www.klgates.com)

**From:** Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>  
**Sent:** Tuesday, August 12, 2025 1:17 PM  
**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>  
**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>  
**Subject:** Re: Joint 26(f) Report

Absent confirmation on simultaneous exchange, I will file the report, as is my right as Plaintiff in this case.

Please send your draft whenever you are ready in that case, and I will incorporate it.

Best regards,

Arjun Vasan

On Tue, Aug 12, 2025 at 1:10 PM Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)> wrote:

Ms. Makitalo,

Per our meet-and-confer, we agreed to simultaneous exchange of our Rule 26(f) sections so neither side is disadvantaged in review. I will send Plaintiff's sections at 5:00 p.m. Pacific today and ask that you send Defendant's sections at the same time.

Proposed logistics to keep us on track for the August 14 deadline:

- **Today (5:00 p.m. PT):** Simultaneous exchange of parties' sections.
- **Tomorrow (10:00 a.m. PT):** Defense circulates a **combined draft** incorporating both sides' positions.
- **Tomorrow (3:00 p.m. PT):** Plaintiff returns redlines/ok to finalize.
- **August 14 (by filing deadline):** Defense files the **joint** report.

For the combined draft, please include Defendant's designation of lead trial counsel for the docket caption.

Please confirm by return email that you agree to the 5:00 p.m. PT simultaneous exchange and the above timetable.

Best regards,

Arjun Vasan

On Tue, Aug 12, 2025 at 12:44 PM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:

Mr. Vasan,

We agreed that you would send your draft on Monday so that we could incorporate your sections into the joint report. We did not receive your draft yesterday, so we did not send a combined joint report. Once we receive your sections, we will prepare the combined draft and send it to you for your review and authorization to file jointly, as you requested.

Please advise when we can expect your sections.

Thank you,

**Rebecca Makitalo**

Associate

K&L Gates LLP

10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

[www.klgates.com](http://www.klgates.com)

---

**From:** Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>

**Sent:** Tuesday, August 12, 2025 12:30:19 PM

**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>

**Cc:** Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** Re: Joint 26(f) Report

Ms. Makitalo,

As discussed on our August 11 call, you agreed to send Checkmate's draft Joint Rule 26(f) Report on Monday, and I would send my sections upon receipt. I memorialized that understanding in my email yesterday morning.

Please send your draft today by 2:00 p.m. PT. I will turn my sections within 4 hours of receipt so we can meet the Court's August 14 deadline.

If you prefer a simultaneous exchange instead, I'm fine to exchange drafts at 5:00 p.m. PT today.

If I don't receive your draft (or a confirmed simultaneous-exchange time) by the above, I will file my portions in a separate submission, with a brief Rule 26(f)(2) statement describing our meet-and-confer and my ongoing willingness to consolidate upon receipt of your draft.

Best regards,

Arjun Vasani

On Tue, Aug 12, 2025 at 12:19 PM Arjun Vasani <[arjun.vasani@gmail.com](mailto:arjun.vasani@gmail.com)> wrote:

My notes say, specifically, that I would have my draft ready on Monday, and would exchange it as soon as you sent your draft.

You agreed to that proposition.

Best regards,

Arjun

On Tue, Aug 12, 2025 at 12:15 PM Arjun Vasani <[arjun.vasani@gmail.com](mailto:arjun.vasani@gmail.com)> wrote:

That's not what I understood from the call, I said I would have mine ready and would send when you send so that we can review at the same time.

Sent from Gmail Mobile

On Tue, Aug 12, 2025 at 8:34 AM Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)> wrote:

Mr. Vasani,

Pursuant to your request for Checkmate to file the joint report, you were to send your draft sections on Monday for us to incorporate into the joint report. We have not yet received anything from you.

Once I receive your sections, I will incorporate and send you a proposed final draft for review so that we can file the report by the Court's August 14, 2025 deadline.

Please confirm that you will be sending your sections promptly.

Thank you,

**Rebecca Makitalo**

Associate

K&L Gates LLP

[10100 Santa Monica Blvd](#)

[8th Floor](#)

[Los Angeles, CA 90067](#)

Phone: 310 552-5502

Cell: 818 251-6956

[rebecca.makitalo@klgates.com](mailto:rebecca.makitalo@klgates.com)

[www.klgates.com](http://www.klgates.com)

---

**From:** Arjun Vasan <[arjun.vasan@gmail.com](mailto:arjun.vasan@gmail.com)>

**Sent:** Tuesday, August 12, 2025 4:57 AM

**To:** Makitalo, Rebecca I. <[Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com)>; Keech, Ryan Q. <[Ryan.Keech@klgates.com](mailto:Ryan.Keech@klgates.com)>; Chiu, Stacey G. <[Stacey.Chiu@klgates.com](mailto:Stacey.Chiu@klgates.com)>

**Subject:** Joint 26(f) Report

---

**This Message Is From an External Sender**

This message came from outside your organization.

Counsel,

You indicated on the call that you would send the Rule 26(f) draft joint report to me by yesterday, August 11, 2025. I note that you did not do so.

Best regards

This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at [Rebecca.Makitalo@klgates.com](mailto:Rebecca.Makitalo@klgates.com).